United Nations S/AC.44/2004/(02)/31/Add.1

Security Council

Distr.: General
13 October 2005

Original: English

Security Council Committee established pursuant to resolution 1540 (2004)

Note verbale dated 12 October 2005 from the Permanent Mission of Norway to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of Norway to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1540 (2004) and, with reference to the latter's letter dated 29 June 2005, has the honour to transmit herewith additional information, as requested, on the steps Norway has taken to implement resolution 1540 (2004).

05-56078 (E) 071105

Annex to the note verbale dated 12 October 2005 from the Permanent Mission of Norway to the United Nations addressed to the Chairman of the Committee

GENERAL COMMENTS CONCERNING THE ENQUIRY BY THE SECURITY COUNSIL RESOLUTION 1540 COMMITTEE ON THE NORWEGIAN REPORT

Please be adviced that the Norwegian comments to the enquiries of the SC Res 1540 Comittee is in two parts. First there are general comments explaining different aspect of Norwegian law and regulations with respect to proliferation of Weapons of Mass Destruction, secondly we have filled in the matrix with relevant text and references.

General comments with regard to operative paragraph 2:

Norway believes that we currently comply with the core commitments under Operative Paragraph (OP) 2 of UNSCR 1540. Since the first report, no new legislation with respect to the Resolution has been passed. Norway is currently preparing a new Penal Code and will in this work carefully assess and duly take account of our obligations under OP 2 with a view to assuring that the requirements set out therein are fully met.

Legislation with respect to nuclear materials
As mentioned in the first report, Section 152 a of the Penal Code makes it an offence to receive, possess, use, transfer, alter, dispose of or distribute any material consisting of or containing plutonium or uranium without lawful permission and thereby cause a risk of damage to any person's body, health, property or living environment. In addition, an attempt to commit an offence and being an accomplice to (i.e. aiding and abetting) an offence as set forth in Section 152 a, are likewise subject to criminal penalties. Under Norwegian law, a person financing any act mentioned in Section 152 a will be considered as an accomplice with regard to the act itself. The financing must be intentional.

As a general point, it must be emphasised that, under Norwegian law, criminal liability as an accomplice does not depend on the criminal act under e.g. Section 152 a actually being committed. If the said criminal act is merely attempted, the person having intentionally financed the act is subject to criminal liability for aiding and abetting the attempt. Even if the said criminal act is not attempted, the person having intentionally financed the act is still subject to criminal liability for attempted aiding and abetting.

Moreover, Sections 152 a and 153 a (i.a.) of the Penal Code stating – in the English translation – that "Accomplices shall be liable to the same penalty" (in Norwegian:

"Medvirkning straffes på samme måte.") cover any person participating as an accomplice, aiding or abetting (including financing, cf. above) or otherwise intentionally assisting in the crime in any way.

The following comments, in as far as they relate to complicity, aiding and abetting, financing, assisting etc., must be read in the light of the general remarks.

Furthermore, Section 5 of the Act 12 May 1972 no. 28 concerning Nuclear Energy Activities makes it an offence to unlawfully manufacture, own, store, handle, transport, sell or otherwise hold or dispose of nuclear substances without a permit from the Ministry concerned. In addition, an attempt to commit an offence and participating as an accomplice in any of the foregoing activities are also criminalized. A person financing acts as mentioned will be considered to be an accomplice.

Legislation with respect to biological weapons
As mentioned in our first report, Section 153 a of the Penal Code makes it an offence to develop, produce, store or otherwise obtain or possess bacteriological or other biological substances and toxins. In addition, an attempt to commit and participating as an accomplice in an offence as set forth in Section 153 a are also criminalized. A person who finances any of the foregoing activities will be considered to be an accomplice.

Legislation with respect to chemical weapons
Section 1 of the Act 6 May 1994 no. 10 relating to the implementation of the Chemical Weapons Convention makes it an offence to develop, produce, otherwise acquire, stockpile, transfer etc. chemical weapons in contravention of the Convention. In addition, an attempt to commit and participating as an accomplice in an offence as set forth in Section 1 are also criminalized. A person who finances acts mentioned in Section 1 will be considered to be an accomplice. Furthermore, Section 153 a of the Penal Code establishes criminal liability as regards any person who develops, produces, stores or otherwise obtains or possesses toxins regardless of their origin or method of production, of such a kind and in such quantities that they are not justified for preventive, protective or other peaceful purposes.

Legislation with respect to terrorist acts and financing of terrorism
The abovementioned provisions must be read in conjunction with the Penal Code Sections 147 a, which makes it a serious criminal offence to commit a terrorist act, and 147 b, which makes it a serious criminal offence to finance terrorism. Under Norwegian law, financing of terrorist acts is generally subject to criminal liability as aiding and abetting. What Section 147 b does, with respect to the financing of terrorist acts, is to establish this as a self-standing offence as well – and thus to highlight the grave nature of such financing.

Section 147 b, first paragraph, attaches criminal liability to those who obtain or collect funds or other financial assets in order that these financial assets should be used, in full or in part, to finance terrorist acts. The second paragraph of Section 147 b attaches criminal liability to any person who makes funds or financial assets, or bank services or other financial services, available to

- a person or entity that commits or attempts to commit such criminal acts as mentioned in Section 147 a,
- any entity owned or controlled by such person or entity, or
- any person or entity that acts on behalf of or at the direction of such person or entity.

General comments with regard to transportation

Regulation 11 November 2002 no. 1264 concerning road and rail transport of Dangerous Goods

Transport of dangerous goods in Norway is regulated through the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR) and Regulations concerning the International Carriage of Dangerous Goods by Rail (RID) respectively. Since 1. January 2005, both these regulations have transposed the security provisions of Chapter 1.4 of the United Nations Recommendations on the Transport of Dangerous Goods. The provisions are implemented in the Regulation 11 November 2002 no 1264 concerning road and rail transport of Dangerous Goods.

In these security provisions, general provisions are set out to minimize theft or misuse of dangerous goods. For high consequence dangerous goods, which are those that are deemed to have the potential for misuse in a terrorist incident and which may, as a result, produce serious consequences such as mass casualties or mass destruction, there is a requirement for security plans. Such plans shall allocate responsibilities, create records of dangerous goods concerned, set out measures to be taken to reduce security risks including training, security policies and operating practices, as well as procedures for reporting and handling of security threats and measures to ensure the physical security of the goods during transport.

General comments with regard to Fire, Explosions and Accidents

Act 14 June 2002 no 20 relating to the prevention of Fire, Explosion and Accidents involving Hazardous Substances and the Fire Services (Fire and Explosion Prevention Act).

The Fire and Explosion Act is already mentioned under OP 3 (a) on page 4 in the Norwegian national report on implementation of UNSCR 1540. In the following we would like to provide some more details about the provisions in this Act.

The purpose of the Act is to safeguard human life, health, the environment and material values against fire and explosion, against accidents involving hazardous substances and dangerous goods and other acute accident situations. Protection against proliferation of chemical weapons does not directly fall within this scope. However may the substances the Act applies to, in principle be used to produce such weapons. Although the direct scope of the Act is protection against accidents, many of the measures set out in the legislation, will also indirectly to a certain extent, represent a protection against proliferation of material that can be used as chemical weapons.

The Fire and Explosion Act applies to duties regarding accident and damage prevention in connection with the handling of hazardous substances and the transport of dangerous goods on land, as well as to duties regarding preparedness and response measures and efforts in cases of acute accidents where the Fire Service is required to respond. "Handling" is defined in Section 4 of the Act as "each and every activity involving hazardous substance such as manufacturing, storage, treatment, transport, loading, unloading, trade, commerce, import, export, transfer, use and destruction.

The relevant provisions of the Act in this context are: Section 6 Preventive safety measures and maintenance which contains general obligations for the owner and user of constructions, Section 19 which concerns safety in enterprises in general, Section 20 which concerns level of safety in enterprises which handle hazardous substances etc. and Section 42 which is a Penal Clause.

General comments with regard to Nuclear Energy

Act of 12 May 1972 no 28 relating to Nuclear Energy Activities

This Act states that "it shall be unlawful to manufacture, own, store, handle, transport, sell or otherwise hold or dispose of nuclear substances without permit from the Ministry concerned". These requirements are further detailed in regulation no 433 of 12 May 2000 on Possession, Transfer and Transportation of Nuclear Material and Dual-Use Equipment, together with requirement among others for accounting of nuclear material, notification on dual use products, export licences etc. Regulation no 1809 of 02 November 1984 governing the physical protection of nuclear materials form a legal basis both for nuclear materials in installations and in transport. IAEA-INFCIRC225/rev.4 recommendations form the basis for all national work on physical protection of nuclear material, and work is currently being done to reflect changes in INFCIRC 225 from revision 3 to revision 4 in national legislation.

General comments with regard to Export Control

The Norwegian Export Control Act of 18 December 1987 and the Regulations for implementation of 10 December 1989, cover all strategic export controls (arms, military equipment and technologies, as well as dual use goods and technologies). On 24 July 2005, amendments to the Act was passed. The amendments apply to inclusion of the terorism aspect, as well as expanding the scope of brokering controls to include certain sensitive dual-use items. The Regulations will be uppdated respectively.

OP 1 and related matters from OP 5, OP 6, OP 8 (a), (b), (c) and OP 10

State: **Norway**

Date of Report: **28 October 2004**

	Did you make one of the following statements or is your country a State Party to or Member State of one of the following Conventions, Treaties and Arrangements ?	YES	If YES, indicate relevant information (i.e. signing, accession, ratification, entering into force, etc)	Remarks (information refers to the page of the English version of the report or an official web site)
1	General statement on non-possession of WMD	X	Norway does not posess nor develop WMD	By policy
2	General statement on commitment to disarmament and non-proliferation	X	Norway reaffirms its strong support to arms control, disarmarnent and non-proliferation	page 2 of the report
3	General statement on non-provision of WMD and related materials to non-State actors	X	Norway is fully committed to prevennting any form of support to non-State actors that seek WMD and their means of delivery	page 4 of the report
4	Biological Weapons Convention (BWC)	X		page 2 of the report
5	Chemical Weapons Convention (CWC)	X		page 2 of the report
6	Nuclear Non-Proliferation Treaty (NPT)	X		page 2 of the report
7	Comprehensive Nuclear Test Ban Treaty (CTBT)	X		page 2 of the report
8	Convention on Physical Protection of Nuclear Material (CPPNM)	X		page 2 of the report
9	Hague Code of Conduct (HCOC)	X		page 2 of the report
10	Geneva Protocol of 1925	X	*Deposit 27 July 1932*	*http://disarmament.un.org:8080/TreatyStatus.nsf*
11	International Atomic Energy Agency (IAEA)	X		page 8 of the report
12	Nuclear Weapons Free Zone/ Protocol(s)			
13	Other Conventions/Treaties	X	Convention on the Suppression of Unlawful Acts Against Maritime Navigation (SUA)	page 12 of the report

14	Other Arrangements	X	1. Wassenaar Arrangement (WA) 2. Australia Group (AG) 3. Zangger Committee (ZC) 4. Nuclear Suppliers Group (NSG) 5. Missile Technology Control Regime (MTCR) 6. Proliferation Security Initiative (PSI): member of the core group	pages 8 and 11 of the report
15	Other			

S/AC.44/2004/(03)/AM.1

OP 2 - Biological Weapons (BW)

State: **Norway**

Date of Report: **28 October 2004**

S/AC.44/2004/(02)/31/Add.1

Does national legislation exist which prohibits persons or entities to engage in one of the following activities ? Can violators be penalized ?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, indicate source document of national implementation law	YES	if YES, indicate source document	
1	manufacture/produce			X	Penal Code, Section 153 a Penal Code, Section 147 a and b (terrorist acts)	pages 4 and 5 of the report
2	acquire			X		
3	possess			X		
4	stockpile/store			X		
5	develop			X		
6	transport			X	Penal Code, Section 153 a	Such transportation to be dealt with as aiding & abetting
7	transfer			X	Penal Code, Section 153 a	Such transfers to be dealt with either as apart of obtaining or as aiding & abetting
8	use			X	Penal Code, Section 147 a applies	
9	participate as an accomplice in a.m. activities			X	Penal Code, Section 153 a Penal Code, Section 147 a and b	pages 4 and 5 of the report
10	assist in a.m. activities			X	Penal Code, Section 147 a & 153 a applies	Ref the term aiding & abetting
11	finance a.m. activities			X	Penal Code, Section 147 a and b	page 5 of the report
12	a.m. activities related to means of delivery			X	Penal Code, Section 153 a applies	
13	involvement of non-State actors in a.m. activities			X	Penal Code, Section 147 a and b (terrorist act)	page 5 of the report
14	Other					

OP 2 - Chemical Weapons (CW)

State: **Norway**

Date of Report: 28 October 2004

Does national legislation exist which prohibits persons or entities to engage in one of the following activities ? Can violators be penalized ?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, indicate source document of national implementation law	YES	if YES, indicate source document	
1	manufacture/produce			X	Act relating to the implementation of the Chemical Weapons Convention of 1994, Section 1	pages 4 and 5 of the report
2	acquire			X		
3	possess			X		
4	stockpile/store			X		
5	develop			X		
6	transport			X	Act relating to the implementation of the Chemical Weapons Convention of 1994, Section 1or aiding and abetting an offence under the Penal Code Section 153 a	Ref the term aiding & abetting
7	transfer			X	Penal Code, Section 147 a and b (terrorist act)	pages 4 and 5 of the report
8	use			X		
9	participate as an accomplice in a.m. activities			X		
10	assist in a.m. activities			X	Act relating to the implementation of the Chemical Weapons Convention of 1994, Section 1 or aiding and the Penal Code Section 153 a	Ref the term aiding & abetting

S/AC.44/2004/(02)/31/Add.1

11	finance a m. activities			X	Act relating to the implementation of the Chemical Weapons Convention of 1994, Section 1 or aiding and abetting the Penal Code Section 153 a or financing of terrorism the Penal Code Section 147 b	Ref the term aiding & abetting
12	a m. activities related to means of delivery			X	Penal Code, Section 153 a applies	
13	involvement of non-State actors in a m. activities			X	page 5 of the report	
14	Other					

OP 2 - Nuclear Weapons (NW)

Norway

28 October 2004

Does national legislation exist which prohibits persons or entities to engage in one of the following activities ? Can violators be penalized ?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, indicate source document of national implementation law	YES	if YES, indicate source document	
1	manufacture/produce	X	Nuclear Energy Activities Act	X	Nuclear Energy Activities Act Sect 55 and Penal Code Section 152 a	Such manufacture, depending on material consisting of or containing plutoniumor uranium would entail violations
2	acquire	X	Nuclear Energy Activities Act	X	Penal Code, Section 152 a Penal Code, Section 147 a and b (terrorist act) Nuclear Energy Activity Act	pages 4 and 5 of the report
3	possess	X	Nuclear Energy Activities Act	X		
4	stockpile/store	X	Nuclear Energy Activities Act	X	Nuclear Energy Activities Act Sect 55 and Penal Code Section 152 a	
5	develop	X	Nuclear Energy Activities Act	X	Nuclear Energy Activities Act Sect 55 and Penal Code Section 152 a	Same rationale as for manufacture/produce or aiding and abetting
6	transport	X	Nuclear Energy Activities Act	X	Nuclear Energy Activities Act Sect 55 and Penal Code Section 152 a	To be dealt with as aiding and abetting
7	transfer	X	Nuclear Energy Activities Act	X	Penal Code, Section 152 a Penal Code, Section 147 a and b (terrorist act) Nuclear Energy Activities Act Sect 55	pages 4 and 5 of the report
8	use			X		
9	participate as an accomplice in a.m. activities			X		
10	assist in a.m. activities			X	Penal Code Section 152 a applies	
11	finance a.m. activities			X	Penal Code, Section 147 a and b	page 5 of the report
12	a.m. activities related to means of delivery			X	Penal Code Sections 152 a or 147 a applies	Would be dealt with as aiding and abetting
13	involvement of non-State actors in a.m. activities			X		page 5 of the report
14	Other			X	Prohibition to receive, alter, dispose or distribute	pages 4 and 5 of the report

S/AC.44/2004/(03)/91/Add.1

OP 3 (a) and (b) - Account for/Secure/Physically protect BW including Related Materials

State: **Norway**

Date of Report: **28 October 2004**

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect BW and Related Materials? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties, and others		Remarks
	YES	if YES, indicate source document	YES	if YES, indicate source document	
1 Measures to account for production					
2 Measures to account for use					
3 Measures to account for storage					
4 Measures to account for transport					
5 Other measures for accounting					
6 Measures to secure production					
7 Measures to secure use	X	Act relating to control of communicable diseases, paras 4 and 6			page 5 of the report
8 Measures to secure storage					
9 Measures to secure transport	X	Act relating to control of communicable diseases, paras 4 and 5 and Regulation 11 Nov 2002 no. 1264 - road & rail transport of dangerous goods			page 5 of the report
10 Other measures for securing					
11 Regulations for physical protection of facilities/materials/ transports	X	Regulation 11 Nov 2002 no 1264 - road & rail transport of dangerous goods			
12 Licensing/registration of facilities/persons handling biological materials					
13 Reliability check of personnel					

14	Measures to account for/secure/ physically protect means of delivery									
15	Regulations for genetic engineering work									
16	Other legislation/ regulations related to safety and security of biological materials									
17	Other									

OP 3 (a) and (b) - Account for/Secure/Physically protect CW including Related Materials

State: **Norway**

Date of Report: **28 October 2004**

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect CW and Related Materials? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties, and others		Remarks
	YES	if YES, indicate source document	YES	if YES, indicate source document	
1 Measures to account for production	X	Fire & Explosion Act Section 6, 19, 20		Fire & Explosion Act Section 42	
2 Measures to account for use	X	Fire & Explosion Act Section 6, 19, 20		Fire & Explosion Act Section 42	
3 Measures to account for storage	X	Fire & Explosion Act Section 6, 19, 20		Fire & Explosion Act Section 42	page 5 of the report
4 Measures to account for transport	X	Fire & Explosion Act Section 6, 19, 20		Fire & Explosion Act Section 42	
5 Other measures for accounting					
6 Measures to secure production	X	Fire & Explosion Act Section 6, 19, 20		Fire & Explosion Act Section 42	
7 Measures to secure use	X	Fire & Explosion Act Section 6, 19, 20		Fire & Explosion Act Section 42	
8 Measures to secure storage	X	Fire & Explosion Act Section 6, 19, 20		Fire & Explosion Act Section 42	page 5 of the report
9 Measures to secure transport	X	Fire & Explosion Act Section 6, 19, 20		Fire & Explosion Act Section 42	
10 Other measures for securing					
11 Regulations for physical protection of facilities/materials/ transports	X	Fire & Explosion Act Section 6, 19, 20		Fire & Explosion Act Section 42	
12 Licensing of chemical installations/entities/use of materials					
13 Reliability check of personnel					
14 Measures to account for/secure/ physically protect means of delivery					

15	National CWC authority					
16	Reporting Schedule I, II and III chemicals to OPCW	X	regular reports to OPCW			page 5 of the report
17	Account for, secure or physically protect old chemical weapons					
18	Other legislation/ regulations controlling chemical materials					
19	Other					

S/AC.44/2004/(02)/31/Add.1

OP 3 (a) and (b) - Account for/Secure/Physically protect NW including Related Materials

State: **Norway**

Date of Report: 28 October 2004

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW and Related Materials? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties, and others		Remarks
	YES	if YES, indicate source document	YES	if YES, indicate source document	
1 Measures to account for production	X	*INFCIRC/177 Nuclear Energy Activity Act*	x	Nuclear Energy Activities Act	*http://www.iaea.org/OurWork/SV/Safeguards/sir_table.pdf*
2 Measures to account for use	X		X	Nuclear Energy Activities Act	
3 Measures to account for storage	X	Act relating to the Prevention of Fire, Explosion and Accidents involving Hazardous Substances, etc: stocks of chemical substances , Nuclear Energy Activity Act	X	Nuclear Energy Activities Act	page 5 of the report the Fire & Explosion Act should be omitted
4 Measures to account for transport	X	Nuclear Energy Activities Act	X	Nuclear Energy Activities Act	
5 Other measures for accounting	X	Nuclear Energy Activities Act	X	Nuclear Energy Activities Act	
6 Measures to secure production	X	Nuclear Energy Activities Act	X	Nuclear Energy Activities Act	
7 Measures to secure use	X	Nuclear Energy Activities Act	X	Nuclear Energy Activities Act	
8 Measures to secure storage	X	Act relating to the Prevention of Fire, Explosion and Accidents involving Hazardous Substances, et : stocks of chemical substances ,Nuclear Energy Activities Act	X	Nuclear Energy Activities Act	page 5 of the report the Fire & Explosion Act should be omitted
9 Measures to secure transport	X	Nuclear Energy Activities Act	X	Nuclear Energy Activities Act	
10 Other measures for securing					
11 Regulations for physical protection of facilities/materials/ transports	X	Nuclear Energy Activities Act	X	Nuclear Energy Activities Act	page 5 of the report
12 Licensing of nuclear installations/entities/use of materials	X	Nuclear Energy Activities Act	X	Nuclear Energy Activities Act	
13 Reliability check of personnel	X	Nuclear Energy Activities Act	X	Nuclear Energy Activities Act	

14	Measures to account for/secure/ physically protect means of delivery					
15	National regulatory authority	X	Nuclear Energy Activities Act	X	Nuclear Energy Activities Act	
16	IAEA Safeguards Agreements	X	*1. Safeguards Agreement in force 01 March 1972* *2. Additional Protocol in force 16 May 2000*			*http://www.iaea.org/OurWork/SV/Safeguards/sir_table.pdf*
17	IAEA Code of Conduct on Safety and Security of Radioactive Sources	X	Strong support			page 10 of the report
18	IAEA Database on Illicit Trafficking of Nuclear Materials and other Radioactive Sources	X	*Participates in Database Programme*			*http://www.iaea.org/About/Policy/GC/GC42/Documents/gc42-17.html*
19	Other Agreements related to IAEA	X	CNS, Joint convension, CPPNN, Convension on early notification and			
20	**Additional national legislation/regulations related to nuclear materials including CPPNM**					
21	**Other**					

S/AC.44/2004/(02)/31/Add.1

OP 3 (c) and (d) and related matters from OP 6 and OP 10 - Controls of BW including Related Materials

State: **Norway**

Date of Report: 28 October 2004

	Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of BW and Related Materials ? Can violators be penalized ?	National legal framework: YES	National legal framework: if YES, indicate source document	Enforcement: civil/criminal penalties, and measures of implementation, etc: YES	Enforcement: civil/criminal penalties, and measures of implementation, etc: if YES, indicate source document	Remarks
1	Border control	X	Customs Act (1966) and customs regulations (1967) as amended	X	Customs Act: breaches of customs provisions are punishable	pages 3 and 6 of the report
2	Technical support of border control measures					
3	Control of brokering, trading in, negotiating, otherwise assisting in sale of arms and military goods and technology. The same rules apply to certain sensitive dual-use items as described in the Export Control Regulations	X	Export Control Act and Export Control Regulations		The Export Control Act §§ 5, 6. If the matter should be subject to a more severe penalty, the Criminal Code can come into effect.	page 7 of the report
4	Enforcement agencies/authorities	X	1. Police Act 2. Customs Act	X		pages 3, 6 and 7 of the report
5	Export control legislation in place	X	1. Act Relating to Control of the Export of Strategic Goods, Services, technology, etc. (Export Control Act) as amended 2004 2. Export Control Regulations as amended 2004			pages 6 and 7 of the report
6	Licensing provisions	X	Export Control Regulations. Guidelines for the Ministry of Foreign Affairs* when dealing with applications for export of arms and military equipment	X	Export Control Regulations	page 7 of the report
7	Individual licensing	X	Export Control Regulations. Guidelines for the Ministry of Foreign Affairs* when dealing with applications for export of arms and military equipment	X	Export Control Regulations	page 7 of the report

8	General licensing	X	Export Control Regulations. Guidelines for the Ministry of Foreign Affairs* when dealing with applications for export of arms and military equipment	X	Export Control Regulations	page 7 of the report
9	Exceptions from licensing	X	Export Control Regulations	X	Export Control Regulations	page 7 of the report
10	Licensing of deemed export/visa					
11	National licensing authority	X	Ministry of Foreign Affairs	X	Export Control Act and Export Control Regulations	page 7 of the report
12	Interagency review for licenses	X	Export Control Regulations. Guidelines for the Ministry of Foreign Affairs* when dealing with applications for export of arms and military equipment	X	Export Control Regulations	
13	Control lists	X	Lists are regularly updated (AG, WA, NSG, ZC, MTCR)	X	Export Control Regulations	page 8 of the report
14	Updating of lists	X				
15	Inclusion of technologies	X	Export Control Regulations. Guidelines for the Ministry of Foreign Affairs* when dealing with applications for export of arms and military equipment	X	Export Control Regulations	page 7 of the report
16	Inclusion of means of delivery	X	Export Control Regulations	X	Export Control Regulations	page 8 of the report
17	End-user controls	X	Export Control Regulations	X	Export Control Regulations	page 7 of the report
18	Catch all clause	X	Catch all control for WMD	X	Export Control Regulations	page 7 of the report
19	Intangible transfers	X	Transfers by any means	X	Export Control Regulations	page 7 of the report
20	Transit control	X	On arms and military equipment	X	Export Control Regulations	page 7 of the report
21	Trans-shipment control					
22	Re-export control	X	Export Control Act and Export Control Regulations	X	Export Control Regulations	page 7 of the report
23	Control of providing funds					
24	Control of providing transport services					

S/AC.44/2004/(02)/31/A44.1

25	Control of importation	X	Regulations relating to import, transportation and handling of pathogens			page 5 of the report
26	Extraterritorial applicability	X	Provisions on any services provided abroad			page 7 of the report
27	Other					

WTO/SPS/NOTIF/CAN/1

OP 3 (c) and (d) and related matters from OP 6 and OP 10 - Controls of CW including Related Materials

State: **Norway**

Date of Report: 28 October 2004

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of CW and Related Materials ? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties, and measures of implementation, etc		Remarks
	YES	if YES, indicate source document	YES	if YES, indicate source document	
1 Border control	X	Customs Act (1966) and customs regulations (1967) as amended	X	Customs Act: breaches of customs provisions are punishable	pages 3 and 6 of the report
2 Technical support of border control measures					
3 Control of brokering, trading in, negotiating, otherwise assisting in sale of arms and military goods and technology. The same rules apply to certain sensitive dual use items and technologies as described in the Export Control Regulations.	X	Export Control Act and Export Control Regulations	X	Export Control Act and Export Control Regulations	page 7 of the report
4 Enforcement agencies/authorities	X	1. Police Act 2. Customs Act	X	1. Directorate for Customs and Excise 2. Norwegian Police Security Service	pages 3, 6 and 7 of the report
5 Export control legislation in place	X	1. Act Relating to Control of the Export of Strategic Goods, Services, technology, etc. (Export Control Act) as amended 2004 2. Export Control Regulations as amended 2004	X	1. Act Relating to Control of the Export of Strategic Goods, Services, technology, etc. (Export Control Act) as amended 2004 2. Export Control Regulations as amended 2004	pages 6 and 7 of the report
6 Licensing provisions	X	Export Control Regulations as amended 2004 Guidelines for applications	X	Export Control Regulations	page 7 of the report

S/AC.44/2004/(02)/31/Add.1

7	Individual licensing	X	Export Control Regulations. Guidelines for the Ministry of Foreign Affairs* when dealing with applications for export of arms and military equipment	X	Export Control Regulations	page 7 of the report
8	General licensing	X	Export Control Regulations. Guidelines for the Ministry of Foreign	X	Export Control Regulations	page 7 of the report
9	Exceptions from licensing	X	Export Control Regulations	X	Export Control Regulations	page 7 of the report
10	Licensing of deemed export/visa					
11	National licensing authority	X	Ministry of Foreign Affairs	X	Export Control Act and Export Control Regulations	page 7 of the report
12	Interagency review for licenses	X	Export Control Regulations. Guidelines for the Ministry of Foreign Affairs* when dealing with applications for export of arms and military equipment	X	Export Control Regulations	page 7 of the report
13	Control lists	X	Lists are regularly updated (AG, WA, NSG, ZC, MTCR)	X	Export Control Regulations	page 8 of the report
14	Updating of lists	X				
15	Inclusion of technologies	X	Export Control Act and Export Control Regulations	X	Export Control Act and Export Control Regulations	page 7 of the report
16	Inclusion of means of delivery	X	Export Control Act and Export Control Regulations	X	Export Control Regulations	page 7 of the report
17	End-user controls	X	Export Control Regulations	X	Export Control Regulations	page 7 of the report
18	Catch all clause	X	Catch all control for WMD	X	Export Control Regulations	page 7 of the report
19	Intangible transfers	X	Transfers by any means	X	Export Control Regulations	page 7 of the report
20	Transit control	X	On arms and military equipment	X	Export Control Regulations	page 7 of the report
21	Trans-shipment control					
22	Re-export control	X	Export Control Act and Export Control Regulations	X	Export Control Regulations	page 7 of the report

23	Control of providing funds					
24	Control of providing transport services					
25	Control of importation					
26	Extraterritorial applicability	X	Provisions on any services provided abroad	X	Export Control Act and Export Control Regulations	page 7 of the report
27	Other					

OP 3 (c) and (d) and related matters from OP 6, and OP 10 - Controls of NW including Related Materials

State: **Norway**

Date of Report: **28 October 2004**

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW and Related Materials ? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties, and measures of implementation, etc		Remarks
	YES	if YES, indicate source document	YES	if YES, indicate source document	
1 Border control	X	Customs Act (1966) and customs regulations (1967) as amended	X	Customs Act: breaches of customs provisions are punishable	pages 3 and 6 of the report
2 Technical support of border control measures					
3 Control of brokering, trading in, negotiating, otherwise assisting in sale of arms and military goods and technology. The same rules apply to certain sensitive dual use items and technologies as described in the Export Control Regulations	X	Export Control Act and Export Control Regulations	X	Export Control Regulations	page 7 of the report
4 Enforcement agencies/authorities	X	1. Police Act 2. Customs Act	X	1. Directorate for Customs and Excise 2. Norwegian Police Security Service	pages 3, 6 and 7 of the report
5 Export control legislation in place	X	1. Act Relating to Control of the Export of Strategic Goods, Services, technology, etc. (Export Control Act) as amended 2004 2. Export Control Regulations as amended 2004	X	Export Control Regulations	pages 6 and 7 of the report
6 Licensing provisions	X	Guidelines of 18 April 2002 for the MFA when dealing with applications for the export of nuclear materials, plants and equipment	X	Export Control Regulations	page 7 of the report
7 Individual licensing	X	Export Control Regulations	X	Export Control Regulations	page 7 of the report
8 General licensing	X	Export Control Regulations	X	Export Control Regulations	page 7 of the report

9	Exceptions from licensing	X	Export Control Regulations	X	Export Control Regulations	page 7 of the report
10	Licensing of deemed export/visa					
11	National licensing authority	X	Ministry of Foreign Affairs	X	Export Control Act and Export Control Regulations	page 7 of the report
12	Interagency review for licenses	X	Export Control Regulations	X	Export Control Regulations	
13	Control lists	X	Lists are regularly updated (AG, WA, NSG, ZC, MTCR)	X	Export Control Regulations	page 8 of the report
14	Updating of lists	X				
15	Inclusion of technologies	X	Export Control Act and Export Control Regulations	X	Export Control Act and Export Control Regulations	page 7 of the report
16	Inclusion of means of delivery	X	Export Control Regulations	X	Export Control Regulations	page 7 of the report
17	End-user controls	X	Export Control Regulations	X	Export Control Regulations	page 7 of the report
18	Catch all clause	X	Catch all control for WMD	X	Export Control Regulations	page 7 of the report
19	Intangible transfers	X	Transfers by any means	X	Export Control Regulations	page 7 of the report
20	Transit control	X	For arms and military equipment	X	Export Control Regulations	page 7 of the report
21	Trans-shipment control					
22	Re-export control	X	Export Control Regulations	X	Export Control Regulations	page 7 of the report
23	Control of providing funds					
24	Control of providing transport services					
25	Control of importation					
26	Extraterritorial applicability	X	Provisions on any services provided abroad	X	Export Control Act and Export Control Regulations	page 7 of the report
27	Other	X	Provisions on brokerage of sensitive items will be specified to cover Trigger List items and technology			page 7 of the report

S/ACC/2004/02/31/4441

OP 6, 7 and 8 (d) - Control lists, Assistance, Information

State: **Norway**

Date of Report: **28 October 2004**

	Can information be provided on the following issues ?	YES		Remarks
1	Control lists - items (goods/ equipment/materials/technologies)	X	Regular updates in accordance with international obligations as member	page 8 of the report
2	Control lists - other			
3	Assistance offered	X	Ready to provide assistance with respect to legislation as well as regulatory infrastructure	pages 3 and 8 of the report
4	Assistance requested			
5	Assistance in place (bilateral/plurilateral/multilateral)	X	Contributions to G8 Global Partnership against WMD; contributions to chemical weapons destruction in Russian Federation; contributions to IAEA and OPCW funds and activities; financial assistance for	pages 8 and 9 of the report
6	Information for industry	X	Dialogue with industry is established, also awareness raising programmes	pages 3 and 11 of the report
7	Information for the public	X	Dialogue with public is established, also awareness raising programmes	pages 3 and 11 of the report